

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): T. Kohda et al.
Docket No.: JP920000095US1
Serial No.: 09/855,281
Filing Date: May 15, 2001
Group: 2155
Examiner: Alicia Baturay

Title: Methods for Guiding User to Network Site
or Content (As Amended)

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This Reply Brief is submitted in response to the Examiner's Answer dated December 18, 2006 in the above-referenced application.

ARGUMENT

The Examiner in her Answer to the Appeal Brief filed by Appellants on August 15, 2006, reasserts her arguments that claims 16, 17 and 20 are rejected under 35 U.S.C. §101, and claims 1-22 are rejected under 35 U.S.C. §103(a). Appellants respectfully disagree with the contentions presented by the Examiner in the Answer, for at least the reasons identified below, as well as for those reasons previously set forth in the Appeal Brief.

With regard to the issue of whether claims 1-22 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Miles in view of Kay, the Examiner's Answer contends that the motivation can be found in the Kay reference on page 3, lines 25-28. Appellants respectfully reassert that no motivation or suggestion exists to combine Miles and Kay in a manner proposed by the Examiner, or to modify their teachings to meet the claim limitations for at least the reasons previously presented in the Appellants' Appeal Brief.

Appellants again assert that there is no suggestion or incentive to combine Miles and Kay. While the portion of Kay referred to by the Examiner describes product advertisement, the Examiner fails to provide reasons why such a description provides suggestion or incentive to combine Kay with Miles. Further, the Examiner fails to provide any findings as to why one skilled in the relevant art, having no knowledge of the claimed invention, would have selected the product advertisement description of Kay in the manner claimed.

The Examiner's Answer further contends that one cannot show nonobviousness by attacking references individually where the rejections are based on a combination of references. Appellants respectfully assert that references have not been "attacked" individually and that arguments have been provided following the logic used by the Examiner. The Examiner has combined Kay with Miles for the specific purpose of remedying the lack of disclosure in Kay regarding object movement. Appellants assert that the combination of Kay with Miles still fails to disclose object movement because there is no evidence in Kay of object movement nor is there evidence that any such object movement advertises a product or service to a potential customer. Further, there is no evidence in Miles that such movement would be useful in the scavenger hunt advertising scheme.

Additionally, the Examiner's Answer contends that Kay teaches an object that appears on a website that can be selected and takes the user from the specific location to a different location.

Appellants respectfully assert that the implanting or overlaying of a button icon as described in Kay, resulting in the "appearance" of a button icon, fails to provide proper support for the rejection of a limitation describing the movement of an object from a specific location to a different location, as recited in independent claim 1. The description of one or more links on a single web page fails to provide any description or suggestion that the hyperlink moves. Appellants again assert that user navigation from one web page to another through selection of an object fails to provide requisite disclosure for the rejection of a limitation reciting actual object movement. Independent claims 1, 7, 9, 12, 16, 18 and 20-22 each recite limitations reciting the movement of such an object and are therefore patentable for the reasons presented above.

For at least the reasons given above and those previously provided in Appellants' Appeal Brief, Appellants respectfully request withdrawal of the §101 rejections of claims 16, 17 and 20 and the §103(a) rejections of claims 1-22. As such, the application is asserted to be in condition for allowance, and favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Griffith". The signature is fluid and cursive, with the first name "Robert" and last name "Griffith" clearly distinguishable.

Date: February 20, 2007

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